



# INDUSTRY CIRCULAR

**DEPARTMENT OF  
THE TREASURY**

**Bureau of Alcohol, Tobacco and Firearms  
Washington, D.C. 20226**

**Number: 77- 8**

**Date: April 14, 1977**

## USE OF DESCRIPTIVE TERMS ON WINE LABELS

Proprietors of Bonded Wine Cellars,  
Taxpaid Wine Bottling Houses,  
Importers, and Others Concerned:

Purpose. The purpose of this circular is to inform industry members that ATF Ruling 77-6 will be published in the April issue of the Alcohol, Tobacco and Firearms Bulletin. The ruling will permit the use on wine labels of certain descriptive terms not defined by regulations and will read substantially as follows:

The Bureau of Alcohol, Tobacco and Firearms has been asked to reconsider its position regarding the authorized use of specific descriptive terms on a wine label which are intended to indicate a higher sugar content for the grapes used in the wine. Presently, the Bureau allows terms such as "Late Harvest," "Late Picked," "Botrytis Infected," "Pourriture Noble," "Ice Wine," and acceptable variations thereof without further qualification.

Section 4.39(a) of the regulations implementing section 5(e) of the Federal Alcohol Administration Act (27 U. S. C. 205(e)) prohibits the use of any label containing a statement on a wine container which is likely to mislead or deceive consumers about the wine product therein.

Section 4.38(f) of the regulations provides that labels may contain information other than the mandatory label information provided such information does not conflict with, nor in any manner qualify, statements required by any regulations promulgated under the Act.

Since terms such as "Late Harvest," "Late Picked," "Botrytis Infected," "Pourriture Noble," "Ice Wine," and variations thereof are subject to several different interpretations, the Bureau has determined that the use of such terms on a wine label without qualification

is likely to mislead the consumer as to the identity of the wine.

Held, in accordance with the requirements of section 4.38(f), the Bureau will approve the use of the terms "Late Harvest" and "Late Picked" and acceptable variations thereof, for appearance on labels for grape wine provided the amount of sugar contained in the grapes at the time of harvest and the amount of residual sugar in the finished wine are accurately stated on a front or back label for the product. The amount of sugar may be stated in degrees brix or percent by weight but must be stated in the same kind of measure for both the sugar content of the grapes and the residual sugar content of the finished wine.

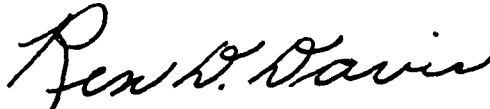
The terms "Botrytis Infected," "Pourriture Noble" and other synonyms for infection by the botrytis cinerea mold will be acceptable on labels for wine made from grapes which have been infected with the mold, provided the labels bear the statements of sugar content as required for "Late Harvest" and "Late Picked" wines.

The term "Ice Wine" may appear on labels for wine made from grapes which have been partially frozen on the vine, provided the labels bear the statements of sugar content as required above for "Late Harvest" and "Late Picked" wines.

Held further, except for vintage wine, harvest or picking dates may not be stated on labels since such dates would have little meaning due to variations of growing locations, grape varieties, and climatic conditions and could likely mislead the consumer into believing the wine is vintage wine.

These requirements are effective immediately and apply to all new label applications using the terms permitted herein. The Bureau will, however, permit the use until June 1, 1977, of all previously approved labels bearing references to "Late Harvest," "Late Picked," "Ice Wine," or similar terms which do not meet the requirements of this ruling. Label approval certificates for such labels shall be surrendered for cancellation upon the close of business May 31, 1977.

Inquiries. Inquiries concerning this circular should refer to its number and be addressed to the Assistant Director (Regulatory Enforcement), Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW., Washington, DC 20226.

A handwritten signature in cursive script, reading "Rex D. Davis".

Rex D. Davis  
Director